

United States District Court

for the
Eastern District of Arkansas

JAMES W. McCORMACK, CLERK
 By: J.W.M. DEP CLERK

AUG 30 2017

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michael Layton

Case Number: 4:12CR00267-001

Name of Sentencing Judicial Officer: Honorable Kristine G. Baker
 United States District Judge

Original Offense: Felon in Possession of a Firearm

Date of Sentence: November 21, 2013

Original Sentence: 30 months Bureau of Prisons followed by 36 months supervised release

Type of
 Supervision: Supervised Release Date Supervision Commenced: December 31, 2015
 Date Supervision Expires: December 30, 2018

Drug and Alcohol Treatment Asst. U.S.
 Specialist: Bryce D. Geiggar Attorney: Allison Bragg Defense
 Attorney: To be appointed

PETITIONING THE COURT

To Issue a Sealed Warrant Pending Execution (cc: U.S. Probation and U.S. Marshal only)
 To Issue a Summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation <u>Number</u>	Condition <u>and Number</u>	<u>Nature of Noncompliance</u>
1	General	<p>The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.</p>
2	Standard (7)	<p>The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.</p> <p>On January 7, 2016, Mr. Layton violated these conditions of supervised release when he submitted a urine specimen confirmed positive for marijuana. Mr. Layton signed an admission form citing use of marijuana on an unknown date.</p> <p>On January 28, 2016, Mr. Layton violated these conditions of supervised release when he submitted a urine specimen confirmed positive for marijuana. An</p>

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interpretation of results performed by Alere Toxicology determined these test results were not due to residual elimination.

On March 9, 2016, Mr. Layton violated these conditions of supervised release when he submitted a urine specimen confirmed positive for marijuana. Mr. Layton signed an admission form citing use of marijuana on an unknown date.

On May 16, 2016, Mr. Layton violated these conditions of supervised release when sweat patch results confirmed positive for the use of cocaine and phencyclidine. The sweat patch was applied on April 26, 2016, and removed on May 6, 2016.

On June 9, 2016, Mr. Layton violated these conditions of supervised release when he submitted a urine specimen confirmed positive for marijuana.

On June 22, 2016, Mr. Layton violated these conditions of supervised release when sweat patch results confirmed positive for the use of cocaine. The sweat patch was applied on June 9, 2016, and removed on June 17, 2016. Furthermore, Mr. Layton signed an admission form citing use of marijuana the week prior to testing.

On November 16, 2016, Mr. Layton violated these conditions of supervised release when he submitted a urine specimen confirmed positive for marijuana. Mr. Layton signed an admission form citing use of marijuana on an unknown date.

On May 30 and July 20, 2017, Mr. Layton violated these conditions of supervised release when he submitted a urine specimen confirmed to be diluted.

On July 11, 2017, Mr. Layton violated these conditions of supervised release when he submitted a urine specimen confirmed positive for marijuana.

3	Special	<p>Mr. Layton shall participate under the guidance and supervision of the probation officers, in substance abuse treatment programs which may include testing, outpatient counseling, and residential treatment. Further, Mr. Layton shall abstain from the use of alcohol throughout the course of treatment.</p> <p>On January 12, March 7, 30, April 25, July 8, September 7, and November 9 and 28, 2016; and February 17, 28, and March 27, 2017, Mr. Layton violated this condition of supervised release when he failed to report for scheduled drug testing at the U. S. Probation Office.</p> <p>On February 27, March 13, 27, and April 10 and 17, 2017, Mr. Layton violated this condition of supervised release when he failed to report for counselling sessions as directed at Recovery Centers of Arkansas.</p>
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On April 24, 2017, Mr. Layton violated this condition of supervised release when he was discharged from the chemical-free living program at Recovery Centers of Arkansas as a program failure due to multiple rule violations.

4 General

The defendant shall not commit another federal, state, or local crime.

On July 22, 2016, Mr. Layton violated this condition of supervised release when he punched a female victim in the face repeatedly with a closed fist as evidence by his arrest on October 6, 2016, wherein he was charged with Assault 2nd Degree, by the North Little Rock, Arkansas, Police Department. On January 4, 2017, Mr. Layton was found guilty in North Little Rock, Arkansas, District Court. Mr. Layton was sentenced to six months of probation, community service, and \$1,140 fines and court costs.

I declare under penalty of perjury that the foregoing is true and correct.

Bryce D. Geiggar

Bryce D. Geiggar
Drug and Alcohol Treatment Specialist

Executed on August 2, 2017

Approved by:



Supervising U.S. Probation Officer

The U.S. Attorney's Office submits this petition to be filed with Criminal Docketing as a motion.

Allison W. Bragg

Allison Bragg
Assistant U.S. Attorney

Executed on 8/28/17